

# OPEN MEETING



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ORIGINAL

## MEMORANDUM

RECEIVED

TO: THE COMMISSION

FROM: Utilities Division

DATE: November 20, 2008

RE: IN THE MATTER OF THE APPLICATION OF LITCHFIELD PARK SERVICE COMPANY FOR A NEW CODE OF PRACTICE TARIFF (DOCKET NO. SW-01428A-08-0442)

7008 NOV 20 A 10:51

ALL OTHER DOCUMENTS  
DOCKET CONTROL

On August 25, 2008, Litchfield Park Service Company ("Company") filed for a New Code of Practice Tariff. The proposed Tariff sets forth certain waste limitations and pretreatment standards that apply based on the class of commercial/industrial customer served by the Company's wastewater treatment facilities located in Maricopa County, Arizona. Customer classes include dental offices, dry cleaners, food service establishments, photo imaging operations, RV parks, and pretreatment for industrial wastes. The new tariff, if approved, will govern the type and quality of waste discharged into the Company's wastewater collection system and treated at its wastewater treatment facilities.

In Decision No. 70528 (September 30, 2008), the Commission suspended the requested tariff filing for a period of 84 days, through and including December 17, 2008, to provide Staff time to complete its review of the proposed tariff.

Staff needs additional time to complete its review of the proposed tariff. As part of its review, Staff requested a copy of the Company's Aquifer Protection Permit ("APP") to determine if the requested waste concentration limits were reasonable. According to the Company, an APP Amendment is currently being processed with Arizona Department of Environmental Quality and a copy of the amended APP will be provided to Staff as soon as it is available. Therefore, Staff recommends that the filing be suspended for another one-hundred sixty two (162) days.

Ernest G. Johnson  
Director  
Utilities Division

EGJ:MSJ:lm\RM

ORIGINATOR: Marlin Scott, Jr.

Arizona Department of Environmental Quality  
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IN THE MATTER OF THE APPLICATION  
OF LITCHFIELD PARK SERVICE  
COMPANY FOR A NEW CODE OF  
PRACTICE TARIFF

Open Meeting  
December 16 and 17, 2008  
Phoenix, Arizona

## FINDINGS OF FACT

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6. In Decision No. 70528 (September 30, 2008), the Commission suspended the requested tariff filing for a period of 84 days, through and including December 17, 2008, to provide Staff time to complete its review of the proposed tariff.

7. Staff needs additional time to complete its review of the proposed tariff. As part of its review, Staff requested a copy of the Company's Aquifer Protection Permit ("APP") to determine if the requested waste concentration limits were reasonable. According to the Company, an APP Amendment is currently being processed with Arizona Department of Environmental Quality and a copy of the amended APP will be provided to Staff as soon as it is available. Staff has recommended that the filing be suspended for another one-hundred sixty two (162) days.

#### CONCLUSIONS OF LAW

1. The Company is an Arizona public service corporation within the meaning of Article XV, Section 2, of the Arizona Constitution.

2. The Commission has jurisdiction over the Company and of the subject matter in this Application.

3. The Commission having reviewed the filing and Staff's Memorandum dated November 20, 2008, concludes that it is in the public interest to suspend the filing for one-hundred sixty two (162) days pursuant to A.R.S. §40-250(B).

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ORDER

IT IS THEREFORE ORDERED that this tariff filing be and is hereby suspended for a period of one-hundred sixty two (162) days, through and including May 28, 2009.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

**BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

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CHAIRMAN

COMMISSIONER

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COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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BRIAN C. McNEIL  
EXECUTIVE DIRECTOR

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

EGJ:MSJ:lh\RM

Decision No. \_\_\_\_\_

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2 DOCKET NO. SW-01428A-08-0442

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